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3 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
4 AT SEATTLE

5 KEVIN PINE, individually and on
behalf of all others similarly situated,

6 Plaintiff,

7 v.

8 A PLACE FOR MOM, INC.,

9 Defendant.

C17-1826 TSZ

MINUTE ORDER

10 The following Minute Order is made by direction of the Court, the Honorable
11 Thomas S. Zilly, United States District Judge:

12 (1) Defendant's motion, docket no. 74, to strike plaintiff's response, docket
no. 73, to defendant's notice of supplemental authority, docket no. 72, is DENIED.

13 (2) Defendant's motion to dismiss, docket no. 50, is RENOTED to June 15,
14 2018. On or before June 8, 2018, the parties shall file supplemental briefs, not to exceed
15 ten (10) pages in length, concerning the effect, if any, of ACA Int'l v. FCC, 885 F.3d 687
16 (D.C. Cir. 2018), and subsequent decisions, in particular, Herrick v. GoDaddy.com LLC,
2018 WL 2229131 (D. Ariz. 2018); Reyes v. BCA Fin. Servs., Inc., --- F. Supp. 3d ---,
2018 WL 2220417 (S.D. Fla. May 14, 2018); and Marshall v. CBE Group, Inc., 2018
17 WL 1567852 (D. Nev. Mar. 30, 2018). Any responsive supplemental briefs shall not
exceed eight (8) pages in length and shall be filed by the new noting date.

18 (3) Oral argument is SET for June 27, 2018, at 10:00 a.m.

19 (4) The Clerk is directed to send a copy of this Minute Order to all counsel of
record.

20 Dated this 18th day of May, 2018.

21 William M. McCool
22 Clerk

23 s/Karen Dews
Deputy Clerk